

REMARKS

To discuss first a preliminary comment, claim 13 was rejected under 36 USC 112 as being indefinite. Claim 13 has been amended, and it is believed that this would remedy the objections of the Examiner, except possibly for the use of the terminology "and/or". However, if that is still a problem, the undersigned has no objection to amending claim 13. However, rather than experimenting with different terminology, this may well be able to be cleared up with a very brief telephone conference with the Examiner.

The claims presently in the application were rejected primarily on the basis of the Ramey patent, in combination with the Begum et al. patent. The parent claim (which is being rejected on the basis of the Ramey patent alone) has been amended to limit the products in the shopping area where a substantial portion of the products are grocery related brand name products. Also, claim 1 states that these brand name products comprise one or more of frozen food products, refrigerated food products, food products which are canned, bottled or packaged food products and drug store products. Also, claim 1 was further amended to state the "plurality of display signs" has been limited in that the display signs are located in or proximate to a related aisle.

Further, paragraph "d" of the first portion of claim 1 which relates to the nature of the products to which the system is applied was amended to state that a substantial portion of these products are brand name food products, and the presentation of these food products includes not only the brand name but also any packaging and graphic representations.

It is believed that a better appreciation of how the claimed invention distinguishes over the prior art will be obtained if prior to discussing the claims further, there is a discussion of various aspects of the subject matter of this patent application, and also of the prior art. After that there will be a more detailed discussion of the claims and of how these distinguish over the prior art.

In preparing a response to the last office action, the Applicant's attorney, the undersigned, had in depth discussions with three people whose expertise has been very helpful in presenting various aspects of the present invention, and also of the prior art. Declarations of these three people have been prepared. The three people and the subject matter of their declarations are as follows:

- i. There is the declaration of Paul Enfield the inventor. Mr. Enfield has reviewed the final draft of his declaration. However, he is out of town at the time of filing this response, so a copy of

his declaration is enclosed. The signed original will be filed by supplemental response.. Mr. Enfield has forty-two years experience in the grocery store business, and he also initiated the six month case study which was done relative to the present invention in a grocery supermarket in Wenatchee, Washington.

- ii. The second person for whom a declaration has been prepared is Mr. David Weber, who is the manager of the grocery supermarket in Wenatchee where the case study was conducted, and he participated in the conduct of the case study. The signed declaration of Mr. Weber is enclosed. Mr. Weber has had the opportunity to communicate with the store customers and with the employees of the store during the six month period of the study and has very valuable insights of the effects of the present invention in terms of customer responses.
- iii. The third declaration was prepared for Mr. Philip Hageman. Mr. Hageman graduated from the University of Washington in 1979 with a BS Degree in Construction Management, and he has been in the construction industry from that time. The Applicant's attorney, the undersigned, has had an extensive

conversation with Mr. Hageman concerning the subject matter of the Ramey patent (U.S. 5,297,685), the patent which was relied upon primarily in making the rejection of the present patent application. Mr. Hageman's insights into these matters is very helpful, and some of these will be presented in these remarks. Again, Mr. Hageman was not available to sign the final copy of declaration, so a signed declaration will be submitted by supplemental response along with the other two. Mr. Hageman was able to provide some valuable insights relative to the Ramey patent and the system of the Enfield patent application.

Reference will now be made to the attached final draft declaration of Mr. Enfield. In the following remarks that are made relative to Mr. Enfield's declaration, reference will be made first to the relevant sections of Mr. Enfield's declaration, and brief comments will be presented on the sections. However, the actual text of Mr. Enfield's declaration is a better source of information, and it is suggested that if the Examiner referred to the actual language in the declaration, he would find a more complete presentation of what is contained in the declaration.

Reference will now be made to particular sections to Mr. Enfield's declaration, following the same numerical designations of the paragraphs. It would be best to go directly to Mr. Enfield's declaration, but the following comments could serve as an introduction.

Section 1

This presents Mr. Enfield's forty-two years experience in the grocery store business.

Sections 2-4 Background Information and Comments on the Case

Study Presented in the Patent Application.

These sections discuss the six month study that was done to evaluate the effectiveness of the present invention, with this study being done in a grocery supermarket located in Wenatchee, Washington. This is one of thirty-five grocery supermarkets owned by the same company, and statistical data was summarized from these other thirty-four stores as a baseline for evaluating the data taken in the case study store in Wenatchee. The case study is described beginning the bottom part of page 40 of the patent application and continuing on through page 43. In

conducting this case study, initially there were selected about twelve product groups of between eight to fourteen products, each of which would be for a single one of twelve aisles and would representative of the types of products that were in that aisle. Two such display signs were prepared for each aisle, and in the second three months of the use study these were placed at end locations of the aisle so that they could be observed by people walking along the corridor adjacent to the entry way to these aisles. An important feature of the present invention is that these are all brand name product representations, and the people who shop at the store probably already have familiarity with a fair number of these brand name products.

The twelve sets of two signs each that were used in the case study are represented in Figs. 11B-11L of the drawings for the patent application. When the person looks at the sign, with its trade name product representations with the graphics and packaging, he gets an immediate impression that not only are these products in that aisle, but also of related products would be expected in the same store location as the brand name products shown. The products which were to be so displayed were tracked during the first three months of the case study and statistics were taken in

the Wenatchee store as to the how many of each of these products were sold. Comparable statistics were taken on the other thirty-four stores. All thirty-five stores use common pricing and advertised product mixes. The results of this study are summarized in the text of the patent application, and they are summarized in paragraph "c" of section 4 of Mr. Enfield's declaration. This case study demonstrated that the sales of the displayed products rose a rather dramatic 45.1%, for the second three month period in the study, while the comparable increase of these same products in the other thirty-four stores was about 9.4%.

However, on a non-statistical basis, probably the more enlightening results of the study have to do with the customer reactions, and these are contained primarily in Mr. Weber's declaration. Since these are all brand name products, most of which would likely already be recognizable by many of the customers, these served well as "memory hooks". In general, the employees at the checkout counter who would hear comment from the customers (and in some cases request comments were appropriate), and most all of the customers had compliments as to the convenience provided by the system. They could "look at the pictures" and not have to read the signs. Also, in Mr. Weber's declaration, he gave one other example that

would confirm this convenience provided, and I will quote directly from Mr. Weber's comments. This is as follows:

"Beyond the comments of customers, I gave Mr. Hughes one very clear example of the benefits of Mr. Enfield's system. We were opening one new store and the layout of the store was somewhat different. We had installed Paul Enfield's system, and the employees of the store had to become familiar with where the various items now were in the store. When a store employee is first coming into a new store, it is very important that he quickly get as much familiarity as possible with the location of all the items in the store. They all stated to me that with Mr. Enfield's system of signage in place, they found it much easier and much faster to learn the layout of the store when they had these "pictures to go by".

Also, to jump ahead in Mr. Enfield's declaration, in paragraph "c" of Section 9, there is discussed the benefits of speed and ease for all populations, but particularly for the benefit of people where English is a second language, and also for individuals with impaired eyesight,

particularly the elderly. He also quotes a rather amusing story which is as follows:

"I was amused shortly after opening a recent remodel, where the signs were added, when a mother with a four year old child came to me and with a little laugh chided me for the signs saying "This is now the only store my daughter will let me shop at. She points out from the signs which aisles we need to shop and what we need to get."

Section 5: "What is Achieved by the System Described in the Patent Application".

In this section Mr. Enfield makes it clear that the system is not to identify each and every one of the food products in the store and give not only the aisle and general vicinity, but also the precise aisle location of all the food products. He also points out that this is one of the main reasons why there is a difference (and a very significant difference), between the present invention and the Ramey patent (U.S. 5,297,685) where there is at the end of the aisle a listing of all products in a particular aisle and also giving the precise aisle location. The benefit of the Enfield system is that it provides a convenience to the customer to more quickly become better acquainted with the various locations in the store, with the graphic

representations of the displays providing “memory hooks” so that shopping can be made easier.

Section 6: “Why Using Brand Name Product Representations With the Graphics and the Packaging Produces These Benefits” and also Section 7.

The food companies already give a good deal of thought in selecting the brand name, the packaging and the graphics to be attractive and to also attract the attention of the consumers, and there is already probably some consumer recognition of the overall appearance of the products. Then when a number of these brand name products are shown in a collection, the person can more easily remember the grouping of the products.

Then in the following Section 7 of Mr. Enfield’s declaration, he gives an analysis of how the results of the case study reinforces this. The important thing is that these display signs of the brand name products get the shopper’s attention, but the question is whether it is only transitory, or does it last? The fact that someone sees the product on the sign, and then is progressing down the aisle, and will tend to buy that very same product

he saw at the sign at the end of the aisle indicates that either consciously or subconsciously, he doesn't simply remember the type of product, but actually remembers the brand name product. The Examiner is invited to read this section in Paul Enfield's own words in his declaration.

Section 8: "Using the Brand Name Presentation Display Together with the Word Sign.

In this section Mr. Enfield gives some interesting insights that the fact that the word sign conveys certain "word related information" (which is more difficult to remember), and then this is correlated with the pictorial representations of brand name products with which the shopper may have familiarity, probably has a synergistic effect in that the memory hooks of the visual displays of brand products make it easier to remember the contents of all the word signs.

Section 9: "Other Benefits of the System of the Patent Application".

In this section there are listed three additional benefits which are discussed.

- i. Since the displayed brand name products increase the sales of that product specifically, in preparing the graphic displays it may be an incentive for the food company as a minimum to

share in the expenses of preparing and displaying the graphic illustration of the company's product.

- ii. The brand name product representations could stimulate impulse buying, where a person is shopping at the store for one item and is reminded that he needs certain other items. These graphic representations can serve as those reminders.
- iii. Probably the single greatest benefit is the speed and ease of use for all populations, but in particular (as indicated previously) some demographic groups as mentioned earlier in these remarks (e.g. people with poor eyesight, etc.).

Section 10: "Who Ultimately Benefits by the use of the System of the Patent Application? Many Parties Find Advantages in this system."

This is a summary of how the shopper benefits, the grocery store benefits, and finally the manufacturers and suppliers of the food products. This is presented more fully in section 10.

Section 11: "The System of the Patent Application Clearly Fulfills in Part a Long Felt Need in the Grocery Industry".

This is a very important section and a very interesting section. Likely it should have been the very first of these remarks. As a few brief comments, various studies over the years consistently demonstrate that the two major factors that influence people to go to a particular grocery store are:

- i. Convenience of location (how long is the trip to and from the store); and
- ii. Once the person is in the store how convenient it is to shop in that store.

It also points out that in general people regard grocery shopping as an undesirable chore, and many people go so far as to call it "drudgery". The situation which has existed for many years is that anything that can be done to make shopping more convenient is badly needed. In the forty-two years that Mr. Enfield has had experience in this industry, this system of Mr. Enfield has (to the best of his knowledge) not been implemented in a grocery store. The argument for patentability relative to a long felt need is that with the advantages provided by this system, the fact that people have for all these years overlooked it would indicate that it is not obvious. If it had been obvious, why didn't someone think of it already? Also, it is important to point out that in conducting the case study it should be emphasized that the only thing that was added to the Wenatchee store in

the second three months of the case study is adding these brand name product display signs, and that is the only substantial marketing mix difference that was made in the Wenatchee store during the last three month test period. Therefore, the benefits were clearly attributable to the system of the present patent application.

Section 11: “Comments on the Three U.S. Patents Cited to Reject the Claims of the Application”.

This is discussed in Mr. Enfield’s declaration, also this is discussed in Mr. Weber’s declaration, and also certain aspects of this (relative to the Ramey patent) are discussed in Mr. Hageman’s declaration. Nevertheless, to make some brief comments about what is discussed in Mr. Enfield’s declaration, the teaching of the Ramey patent is to provide a system where there is a building product such as moldings where the different moldings are all on one aisle. There is a complete directory at the end of the aisle, color coded as to the six sections, with the different types of specific moldings grouped in each section. The main thing this suggests for use in a grocery supermarket would be to put a complete listing of all products in that aisle and then indicate the precise location of those products in that aisle and also some characteristics of the same. (In the Ramey patent the

information given is the specific name, cross sectional configuration and dimensions of each molding).

Then the teaching of the Begum et al. patent is to place a specific sign in the aisle. If that was to be combined with Ramey, it would simply mean placing more signs in the aisle, with some already be shown in the Ramey patent.

The Myers patent shows it is already known to have a store directory at a location, or possibly several locations, and this of course is already known in the prior art.

The above comments are to provide information about various facets of the present invention, and this was done simply by giving brief summaries of what is discussed somewhat more completely in Mr. Enfield's declaration. Now let us focus on claim 1 of the present patent application, as now amended.

Discussion of Claim 1 of the Patent Application as Presently Submitted.

Amendments have been made to claim 1 which are submitted to clearly distinguish over the prior art. To comment on these more specifically the following are provided:

- i. In the introductory paragraph of claim 1 the store facility is recited as facilitating customer shopping by enabling them to be more familiar with product locations, and also the store facility is recited as having a substantial portion of the products as brand name products which comprise one or more of frozen food products, refrigerated food products, food products which are canned, bottled or packaged, food products and drug store products.

COMMENT: The claims in this application are being limited to this particular type of store facility. There are several factors which exist in what is generally termed a grocery store or a grocery supermarket which work synergistically to create the benefits of this invention.

- ii. In subparagraph “d” in the introductory portion of claim 1, there is recited that a substantial portion of the products in at least some of the primary location related product categories are

brand name products with an overall brand name product appearance including the brand name and any packaging and graphic representations.

COMMENT: This also is an important “ingredient” of the invention in these provide better “memory hooks” as to location.

iii. The seven lines which are present in claim 1 immediately after the first introductory paragraphs “a-d”, and just before to the words “said system comprising” define the shopping area as having customer access regions, with a substantial portion of which are aisles that are proximate to rows of products, with the access regions (aisles) being characterized that adjacent products are classified in one or more of the secondary categories and/or subcategories.

COMMENT: This specifies the overall pattern which occurs in most grocery store facilities (or possibly most all grocery store facilities) where there is generally a pattern of having location related products which have the characteristic that when one of these products is found at a location, it is more likely that another product

within that category would be found in a adjacent area or a closely adjacent area. This is also an important component of the invention.

iv. The paragraph after “said system comprising” recites the plurality of display signs, each displaying a plurality of brand name product representations of products which are representative of products in its related secondary location.....etc. Also, these display signs are stated as being positioned in a substantial shopping area portion of the shopping area and located adjacent to a substantial number of the aisles so that a customer passing by or into these aisles is able to view the display signs.

COMMENT: The above recitation is in line with a major function of the present invention and that is to make shopping more convenient by enabling the shopper to become more familiar with product locations throughout the store. There is a significant advantage in using the brand name product representations collected in a group. Further, the selected brand name product representations that are shown are representative of products in its relative secondary location related product category or categories or subcategory or

subcategories in the related aisle. Thus, as is described in the declarations of Mr. Enfield and Mr. Weber and also as discussed in the patent application, a shopper looks at a number of specific items (e.g. possibly six to fourteen brand name product representations in a group), and from viewing this group they are able to extrapolate broader categories and related products that would likely be found in that location. Then there is a second substantial benefit, and this is that the grouping of these brand name product representations are in large part already recognized by the shoppers so that these would form “memory hooks” as to what is in that particular aisle.

- v. Then in the final paragraph of claim 1 it is stated that the result is the customer is better able to identify primary, secondary and/or subcategory locations in the shopping area. The advantages of this are significant. As indicated in section 11 of Mr. Enfield’s declaration, studies have shown that people in general regard shopping for groceries as an undesirable task, and that one of the primary driving forces in causing a shopper going to one store instead of another is the convenience of shopping in that store. Also, as stated in the declarations

relating to the case study done in the present invention, there was substantial customer affirmation of the system of the patent application. This was also supported by the statistics gathered by the six month case study at the Wenatchee store.

Now let us review the prior art, and begin with the Ramey patent.

U.S. 5, 297,685 (Ramey)

i. In Fig. 4 of the Ramey patent there is shown relatively large sign that is placed at the end of that aisle, which is called a "directory". This directory sign of Fig. 4 is at the end of the aisle, and it is divided into six sections 14, 16, 18, 20, 22, and 24. Each section has a different color coding with section 14 being colored red (or a shade thereof), section 16 being colored blue (or a color thereof), etc. Then in each section 14-24, there is a listing of the moldings in that section. For example, in the first section 14 there is wording 28 identifying particular type of molding in that group, and there is an illustration 30 accompanying the wording and depicting the configuration of the molding (i.e. the cross sectional configuration). This same pattern is used in all six sections of the directory sign.

ii. Next, as shown in Fig. 1 and partially in Fig. 5 there are six location identification signs 36, 38, 40, 42, 44, and 46 at locations along the length of the aisle, and each sign shows its group identification (e.g. "windows and door") at the locations of the moldings shown in the corresponding sections (one of the sections 14 to 24) that appear on Fig. 4, with the color coding on each group shown in the directory Fig. 4, appearing in the corresponding signs 36-46. Thus, when the person identifies the specific molding that he wants, he can identify the color coding of the directory section (i.e. 14-24), and then go to the corresponding color coded location sign 36-46 along the aisle.

iii. Then at each aisle sign location 36-46, there is a corresponding one of the article location identifier panels 50, 52, 54, 56, 58 and 60. These panels, 50-60 appear in Fig. 1, and in Fig. 2 there is an enlarged drawing of one article location identifier panel 50. Each of these identifier panels 50-60 shows the specific moldings in each of the sections 36-46. This is shown in Fig. 2 where there is an upper heading of "Window & Door" and below that there is shown "Colonial Close", "Ranch Casing", "Ranch Stop", and there are six other blank locations on that sign of Fig. 2 which presumably list other types of molding. Then in Fig. 3 there is shown an enlargement of the third item in Fig. 2 which is "ranch casing". It can be

seen that there is the name of that molding, a drawing of its cross section, and also its dimensions which in this case is 11/16 by 2 and 1/4 inches.

iv. Thus the overall system of the Ramey patent is that we start with a rather broad category of moldings in the directory at the end of the aisle. Then the next step is to go to in the directory sign in Fig. 4 and narrow the selection down to one of the six groups 36-46 shown in directory sign of Fig. 4. Then the third step gets more specific and we go to a specific molding that is in that group.

v. So let us now trace the steps that the shopper takes when he is looking for a specific molding, and as an example, we will assume for the moment that he is looking for a particular type of a base molding. The first step would be to look at the aisle location where moldings are displayed, and he finds this aisle which as shown in the Ramey has the word "mouldings" (i.e. the British spelling for what in the U.S. is "molding"). Then he sees there are six groups and he selects the group entitled "BASE", since he happens to need a base molding. After that he looks at the particular types of moldings that are shown in the "BASE" group of the directory sign, and the shopper identifies either the word designation for the particular molding that he wants or selects the cross sectional configuration of that molding. Each of these group designations in the directory sign

have a color coding, and in this case the group for “BASE” moldings 18 is colored green or a shade of green. The next step is to walk down the aisle where it can be seen in Fig. 1 that about half way down the aisle, there is the sign 40 reading “BASE”. Then when the person arrives at that particular location (and he can verify that is the correct location by the color coding), he looks at the specific display panel such as shown in Fig. 2 and finds the particular molding he desires. This particular representation of the molding, such as shown in Fig. 3, would give the proper name of the molding, its cross sectional configuration, and its actual dimensions. That’s the overall process, going from the more general to the more specific.

vi. This is exactly the opposite from what is done in the system in Paul Enfield’s patent application.

vii. In Paul Enfield’s systems, there is shown a grouping of these specific brand name products which are in that aisle. Then the person sees these specific items, he is able to visualize the broader categories of products that would be related to these displayed brand name products with regard to where these might appear in the store. This would broaden the spectrum of products one would expect to be in that aisle. In this way

we are simply going from specific items, to broader categories of other grocery store products.

viii. Next we look at the drawings in the Ramey patent which are the cross sections of the molding, and compare these to the representations in the Enfield patent application where there are shown brand name products with packaging and graphics, plus the brand name.

ix) In the text of the Ramey patent it is mentioned with the trend of the self service stores, where sales personnel are not readily available, it is necessary for the consumer to be able to readily locate the article he is seeking by himself. In this situation where we are dealing with the specific subject of moldings, this system of the Ramey patent would likely be of help. There would be an advantage in giving not only the name of the molding, but also showing its cross sectional configuration. The purchaser may have forgotten the name of a particular type of molding or might not even know the proper name is for that molding, but he may be able to recognize the shape of molding that he wants. Another factor is that with having the shape and size printed on the more specific sign (see Fig. 3 of the Ramey patent) the person does not have to attempt to look at the different pieces of molding. Since the molding as shown in Fig. 1 has its lower end on the lower support base and the upper end probably above the

line of sight, the person would have to try to lift the entire strip of molding upwardly so that he could see whether it had the right configuration.

Another consideration is that products such as moldings are normally not packaged, and it is not desirable to make any imprints or printings on the molding. In that instance, the specific molding sign which has the name, dimensions, and configuration of the molding would be desirable.

x) Now to get the specific question as to what is the significance of the function and use of the drawings in the system of the Ramey patent, the cross section drawings of each of the moldings is to give the purchaser specific information as to that type of molding, and also to correlate this with the name of that molding and also the dimensional information of that molding. As indicated earlier, the person shopping for the molding may have forgotten what the name is, or that person may remember the name and not remember the configuration. If he is talking on the telephone to someone to order more of that particular molding he would need to know the name. On the other hand, if he simply knows the name but doesn't know what the cross section configuration is, and all that is shown on that location where the molding is, he would have to find someone in the store to tell him whether that particular molding on the shelf is the one that is known by that name. Contrary to what is in the Enfield system, that

representation of the cross section of the molding is to give information about that specific type of molding and nothing else. It is not intended to have someone draw any broader conclusions.

xi) To comment on the relationship between the representations of the cross section configurations of molding in the Ramey patent and the representations in the Enfield system where the brand name product representations are grouped and presented in an aisle of the store, there is no relationship between the two. The subject matter of each set of representations are totally different, they serve a totally different purposes, they produce totally different results, and they function in totally different ways (in fact, as indicated earlier in opposite ways).

xii. More specifically, these graphic representations of the Enfield system at the aisles of the store are intended to assist the shopper in having a familiarity with the total layout of the store as to what grocery store items are in what aisle. This is accomplished in the Enfield system by giving the person visual impressions of groups of brand name products with which the shopper may already be familiar and which are representative of location related items.

xiii. Based upon previous experience in shopping in grocery stores, that person is not only advised as to the location of those particular items

that are shown in the Enfield system, but also the probable location of many other related products that are usually found in proximity to those products displayed. Thus, information is transmitted in a much different way than Ramey, and also there are “memory hooks” so that this information can be remembered.

xiv. Thus, the person can get greater familiarity with the entire layout of the store, and this can happen in a way that is more convenient for to the consumer. The Ramey provides a directory to lead the customer to a specific product.

U.S. 6,012,244 (Begum et al.)

The Begum et al. patent was combined with Ramey to reject claims 1-4, 9 and 14. The Begum et al. patent discloses an aisle sign which is attached to the pricing track, and this would in all likelihood be visible to the person who is walking in the aisle. This is a flexible sign and it is mounted to a housing which has a battery various lights could go on and off. There is a price listed at \$2.59 for the juice, and it would be likely that this is being sold on a special, and that the product is immediately adjacent to the sign.

U.S. 6,609,317 (Myers)

This was cited simply to show that it is old to use a store directory which is visible to customer, and it would be obvious to add the product sign since Begum et al. discloses a brand name and a logo reference signage.

Why the Ramey, Begum et al. and Myers Patents do no Make the Present Invention Obvious.

As the Examiner is well aware, in order to reject the claims on the basis of a single patent, there must be some suggestion or teaching in the patent that would lead one to the claimed subject matter of the patent application. Also, if two patents are to be combined to reject the claimed subject matter, there must be some suggestion or reading to lead one to combine the references.

First, the Ramey patent is directed toward a particular type of product, such as moldings in the construction industry. Claim 1 is directed specifically toward a store facility where there are grocery related brand name products, more specifically brand name products that have graphic representations. This is not the case in Ramey. The entire focus of Ramey

is on moldings. In the last few lines of column 1 of the Ramey patent, the following language is present:

“Another problem associated with the sale of moulding and similar commodities is that such commodities are sold unpackaged. Further, it is often undesirable to mark the article itself.”

The subject matter of the present invention could not be further removed from that of the Ramey patent, since the present invention relies substantially on the pictorial representations of brands names, products along with any packaging and graphics to provide visual images not just of those products but also many more location related products.

Second, if one were to apply the teachings of the Ramey patent, to the grocery store environment of claim 1, there would first be at the end of the aisle a complete directory of all products in that aisle. Then there would be subsections where groups of these food products are designated. The aisle itself would have the products grouped in the aisle according to the listing in each section. This is totally antagonistic to what is recited in claim 1.

Then if the Begum et al. patent is cited to be combined with the Ramey patent, the obvious thing to do would be to place the aisle sign of Begum et al. in the aisle of Ramey giving the pertinent information, such as already done in Ramey. There is no suggestion of grouping a small number of representative brand name products to the displaced to yield information of many related products that would be in that aisle.

Also, if the Begum et al. patent is used to teach the system of the present invention where there is grouping of products at an aisle location to serve as location indicators for not just those products but a wide variety of products that might be in that aisle, that would be totally antagonistic to the Begum et al. patent, since it would take the sign away from its location where it is advertising a specific product at a specific price.

Further, it has been quite common for many years to have specials on products and to have individual signage for those products, some in the aisle and some in other locations at the end of the aisle. Quite often this could be done with product representations such as Coca Cola would do from time to time. Those have not led anyone toward the approach of the present invention.

With regard to the Myers patent, there is no suggestion in Myers that there is any advantage in adding any signage showing pictures of the

product. Myers relates to a two part index and signage system and it has a rather sophisticated system of alpha numerical keys to accomplish this. Also, the signage of Begum et al. is to advertise one product at an aisle location where the product is located. There is no suggestion it should be located elsewhere.

Accordingly, it is respectfully submitted that the claims should be found allowable. If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's undersigned attorney can normally be reached at the telephone number set forth below.

Signed at Bellingham, County of Whatcom, State of Washington this May 23, 2005.

Respectfully submitted,
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